

TIPPECANOE COUNTY BOARD OF COMMISSIONERS

RESOLUTION NO. 2022-26-CM
ARPA BROADBAND AWARD

WHEREAS, the Board of Commissioners issued a request for proposals for a broadband project (“Project”) toward which the County will contribute a portion of the funds allocated to the County under the American Rescue Plan Act of 2021;

WHEREAS, IC 5-22-9-5(b)(3)-(4) directs that a register of proposals should contain a list of proposals received and a written statement of the basis on which the award was made;

NOW THEREFORE, BE IT RESOLVED that the Board of Commissioners of Tippecanoe County states the following as the basis for determining that Tipmont REMC/Wintek Corp. is the successful proposer:

1. On or about May 19, 2022, Tippecanoe County published its request for proposals for the Project. Additionally, this request was sent directly on May 17, 2022, to several vendors of broadband services. Four proposals were received on June 30, 2022.

2. The Request for Proposals listed the following evaluation criteria:

Proposed solution (35%)

- Understanding of project objectives and adherence to specified requirements
- Number of unserved and underserved addresses and areas covered by proposed solution
- Service level speed and price points to end users. Higher speeds made available at affordable price will be given more favorable consideration.
- Equipment and network design to meet performance and reliability requirements
- Overall timeline for completion and deployment of broadband solution
- Fiber-to-the-modem or functional equivalent
- Affordability

Proposed project costs (25%)

- Proposed investment level by Applicant in relation to ARPA dollars provided by the County.

Applicant background, qualifications, and capabilities (20%)

- Customer service and acquisition capabilities
- Financial stability
- Similar projects completed
- Knowledge and technical competence
- Integrity and record of compliance with public policy

Status as or affiliation with local government, nonprofit, and/or cooperative (10%)

Applicant RFP response (10%)

- Completeness and conciseness in RFP response
- Supplying relevant information and materials.

3. Proposals were received by Wintek, (a subsidiary of Tipmont REMC), Comcast Cable Communications, LLC, Frontier North, and Mulberry Communications. An ARPA working committee consisting of Commissioner Tom Murtaugh and Council members Ben Murray, Kevin Underwood, and Kathy Vernon reviewed the proposals. The proposals received by Frontier North and Mulberry Communications were significantly smaller in proposed scope (fewer than 300 passings each) than the Comcast and Tipmont/Wintek proposals (867 and 1,946 passings respectively) and, therefore, the latter two were deemed susceptible to an award and scored accordingly.

4. Based on the criteria set forth in the Request for Proposals, the working group recommends the Tipmont/Wintek proposal. Ultimately, the number of passings proposed, the affordability of service levels that feature at least 100 Mbps symmetrical upload and download speeds, and Tipmont/Wintek's provision of a broadband network owned, operated, or affiliated with a cooperative were key elements in this recommendation. In other respects, the proposals were reasonably comparable. Both entities have demonstrated background, qualifications, and capabilities of completing a project of this type. Both supplied responses that were complete and concise. The overall timeline and equipment and network design are adequate to meet ARPA requirements as well as performance and reliability requirements. Both proposals contemplated

an expenditure of approximately \$8,175 per passing. Both organizations participate in the FCC's Affordable Connectivity Program which provides a discount of \$30 per month to qualifying households.

5. Tipmont is a Rural Electric Municipal Cooperative which acquired Wintek in 2019. Its proposal for approximately 1,946 passings and 155 miles of fiber covers a broader area of the County than does the Comcast proposal. Treasury Guidance for expenditure of ARPA funds indicates a preference for broadband service that meets or exceeds 100 Mbps symmetrical upload and download speeds. The Tipmont/Wintek proposal provides for its lowest tier of service being 250 Mbps symmetrical speed at \$65 per month, prior to available subsidies, with unlimited data and no installation fees. The lowest cost Comcast tier having download speeds of at least 100 Mbps requires a \$79 monthly fee and comes with a 10 Mbps upload speed which is below what the goals set forth by Treasury Regulations. Proposed Comcast offerings with upload speeds that meet or exceed the 100 Mbps Treasury goal would also be more expensive.

6. Treasury guidance recommends that broadband services be deployed to reliably meet or exceed 100 Mbps symmetrical upload and download speed or, if that is not feasible, 100 Mbps download and 20 Mbps upload that will be scalable to 100 Mbps. 87 Fed. Re. 4418, 4443. The County's Request for Proposals asked for 250 Mbps symmetrical. The Tipmont/Wintek proposal meets these thresholds for all of its tiers. The Comcast proposal meets these thresholds for only its upper tiers.

7. Finally, Wintek is owned by Tipmont REMC. Treasury guidance encourages the prioritization of local networks owned, operated, or affiliated with local governments, nonprofits, and cooperatives based on the premise that such organizations are less driven by financial returns

to investment and may be able to provide robust service at lower price, have less pressure to generate profits, and have a commitment to serve entire communities. 87 Fed. Reg. 4418, 4421.

8. Of the proposals received, the working group regards the proposal submitted by Tipmont/Wintek as the best suited to provide high speed broadband to a greater number of households at affordable rates to areas of the County which are unserved or underserved and otherwise not likely to be served by reliable, affordable access to broadband in the near future.

BE IT FURTHER RESOLVED THAT the Board of Commissioners hereby accepts the proposal of Wintek/Tipmont dated June 30, 2022, and directs negotiation of a suitable form of contract to implement said proposal.

Duly adopted this ___ day of _____, 2022.

BOARD OF COMMISSIONERS OF
TIPPECANOE COUNTY

ABSENT
David S. Byers, President

Tracy A. Brown
Tracy A. Brown, Vice President

Thomas P. Murtaugh
Thomas P. Murtaugh, Member

ATTEST:

Robert Plantenga
Robert Plantenga, Auditor of
Tippecanoe County